

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
CASE NO. 3:21-cv-00173-MOC-DCK**

TRAVELERS CASUALTY AND SURETY  
COMPANY OF AMERICA,

Plaintiff,

v.

JELD-WEN HOLDING, INC., et al.,

Defendants.

---

JELD-WEN HOLDING, INC.,

Third-Party Plaintiff,

v.

OLD REPUBLIC INSURANCE CO.,

Third Party Defendant.

---

**PLAINTIFF TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA’S  
CROSS-MOTION FOR SUMMARY JUDGMENT**

Pursuant to Rule 56 of the Federal Rules of Civil Procedure, and Local Rule 7.1, Plaintiff Travelers Casualty and Surety Company of America (“Travelers”) respectfully moves the Court for an order (i) entering summary judgment in Travelers’ favor on Count I of the Complaint [DE-1] for a declaratory judgment that the claims at issue submitted by Defendants are not covered by Travelers’ excess insurance policy, and (ii) entering summary judgment in Travelers’ favor on the counterclaims of Defendant/Counterclaim-Plaintiff Jeld-Wen Holdings, Inc. against Travelers (First Claim for Relief and Second Claim for Relief of Counterclaims) [DE-21]. In support of this motion, Travelers has contemporaneously filed and incorporates by reference as if fully set forth

herein its Opposition to Defendants' Motion for Summary Judgment and Memorandum in Support of Cross-Motion for Summary Judgment [DE-56] and the Declaration of Jason Reichlyn (including all exhibits thereto) [DE-57].

WHEREFORE, Plaintiff Travelers respectfully requests that the Court enter an order granting Travelers' Cross-Motion for Summary Judgment and awarding any additional relief to which it is entitled.

This the 11th day of February 2022.

SMITH, ADERSON, BLOUNT, DORSETT,  
MITCHELL & JERNIGAN, LLP

/s/ Jang H. Jo

Michael W. Mitchell

NC Bar No. 16750

Jang H. Jo

NC Bar No. 35686

P.O. Box 2611

Raleigh, North Carolina 27602

[mmitchell@smithlaw.com](mailto:mmitchell@smithlaw.com)

[jjo@smithlaw.com](mailto:jjo@smithlaw.com)

Phone: (919) 821-1220

Fax: (919) 821-6800

DYKEMA GOSSETT PLLC

Thomas J. Judge (*pro hac vice*)

DC Bar No. 456098

Jason C. Reichlyn (*pro hac vice*)

DC Bar No. 1008979

1301 K Street NW, Suite 1100 West

Washington, D.C. 20005

[tjudge@dykema.com](mailto:tjudge@dykema.com)

[jreichlyn@dykema.com](mailto:jreichlyn@dykema.com)

Phone: (202) 906-8600

Fax: (202) 906-8669

*Attorneys for Plaintiff and Counter-Defendant  
Travelers Casualty and Surety Company of  
America*

**CERTIFICATE OF SERVICE**

I certify that the foregoing document was filed using the Court's CM/ECF system, which will automatically serve all counsel of record.

This the 11th day of February 2022.

SMITH, ADERSON, BLOUNT, DORSETT,  
MITCHELL & JERNIGAN, LLP

/s/ Jang H. Jo

Jang H. Jo

NC Bar No. 35686

P.O. Box 2611

Raleigh, North Carolina 27602

[jjo@smithlaw.com](mailto:jjo@smithlaw.com)

Phone: (919) 821-1220

Fax: (919) 821-6800